IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.3050 of 2007

Naushad Ahmed Shahab Ahmed Khan ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Niranjan Mundargi, Advocate for the applicant.

Ms M. H. Mhatre, A.P.P for the State.

CORAM: V.C. DAGA,J.
DATED: 19TH SEPT, 2007.

P.C.:-

1. Heard learned counsel for the applicant and learned A.P.P.for the State.

2. Perused application and the material available on record.

3. The applicant, arrested in C.R.No.212 of 2007, registered with Bhandup Police Station, for the offence under Sections 395, 398, 452, 336 of the I.P.C.

4. The learned counsel for the applicant submits that the co-accused Sajidulla Baitulla Khan has already been enlarged on bail by learned Additional Sessions Judge, Greater Bombay in Bail Application No. 1295 of 2007 whose role is identical with that of the

present applicant. The learned APP does not dispute this aspect. In this view of the matter, the present applicant is entitled for bail on following terms and conditions.

(a) The applicant-accused Naushad Ahmed Khan arrested in C.R.No.212 of 2007, registered with Bhandup Police Station, for the offence under Sections 395, 398, 452, 336 of the I.P.C. be released on bail in the sum of Rs. 25,000/-with one or two local sureties in the like amount.

(b) The applicant will not be released unless he furnishes proof of his residential address, as mentioned in the cause title of this application or otherwise, and shall not change the residence without prior intimation to the I.O.

c] The applicant shall report to the concerned Police Station once in a week i.e. on every Monday in between 5:00 to 7:00 p.m. till the conclusion of the trial.

d] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

e] The applicant shall co-operate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

5. Application is disposed of in above terms.

(V.C. DAGA,J.)